

BOARD OF FORESTRY AND FIRE PROTECTION

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**BOARD OF FORESTRY AND FIRE PROTECTION**
MEETING ANNOUNCEMENT AND AGENDA

Announcement Date: September 26, 2003

FULL BOARD

Date: October 8, 9, and 10
(Wednesday, Thursday, Friday)

Location: Resources Building
Auditorium
1416 Ninth Street
Sacramento, California

Time: October 8 – 8:00 a.m.
October 9 – 7:55 a.m.
October 10 – 8:00 a.m.

Note: The Board may conclude its agenda on October 9. October 10 is reserved should additional time be required.

POLICY AND MANAGEMENT COMMITTEE

Date: October 8, 2003 (Wednesday)

Location: Resources Building
Room 1506-12
1416 Ninth Street
Sacramento, California

Time: 8:00 a.m. – noon

FOREST PRACTICE COMMITTEE

Date: October 8, 2003 (Wednesday)

Location: Resources Building
Auditorium
1416 Ninth Street
Sacramento, California

Time: 8:00 a.m. – noon

Ad Hoc ROADS AND WATERSHED MANAGEMENT COMMITTEE

Date: October 8, 2003 (Wednesday)

Location: Resources Building
Auditorium
1416 Ninth Street
Sacramento, California

Time: 1:00 p.m. – 4:00 p.m.

RESOURCE PROTECTION COMMITTEE

Date: October 8, 2003 (Wednesday)

Location: Resources Building
Room 1506-12
1416 Ninth Street
Sacramento, California

Time: 1:00 p.m. – 4:00 p.m.

FULL BOARD AGENDA

October 8, 2003 (Wednesday)

4:00 p.m.

1. Call to Order
2. **Executive Session: (Closed to the Public)** Discussion of Matters Related to Foresters Licensing such as Certifications; Voluntary Relinquishments; and/or Revocations of RPF Licenses/CRM Certifications Under Section 11126 (c)(1), (c)(2), (c)(3) of the Government Code; Employee Evaluation Under 11126 (a)(1); also Discussion of Pending and Potential Litigation Under Section 11126 (e) of the Government Code. Cases to be discussed are: **Campaign to Restore Jackson State Redwood Forest and Dharma Cloud Charitable Foundation Trust v. California Department of Forestry and Fire Protection, California Board of Forestry and Does I through X**, Mendocino County Superior Court, Case No. **SCUKCVG 0083611**; **Gualala Redwoods, Inc. v. California State Board of Forestry, California Department of Forestry and Fire Protection, Andrea Tuttle, and Does 1 through 10**, Sacramento County Superior Court Case No. 02-CS00356; **Kenneth Bareilles v. State of California Board of Forestry and Fire Protection, California Department of Forestry and Fire Protection**, Humboldt County Superior Court Case No. CV020310; **Donald H. Weburg v. State Board of Forestry for the State of California, and Does 1-20**, Sacramento County Superior Court Case No. 02-CS00204; **Environmental Protection Information Center v. California State Board of Forestry and Fire Protection, California Department of Forestry and Fire Protection, and Does 1-30**, San Francisco County Superior Court Case No. CPF-02-501326; **Campaign to Restore Jackson State Redwood Forest and Dharma Cloud Charitable Foundation Trust v. California Department of Forestry and Fire Protection, California Board of Forestry and Does I through X inclusive**, Mendocino County Superior Court, Case No. **SCUKCVPT 0289022**, and **Cockshott v. Board of Forestry**. Discussion, and potential adoption, of a proposed civil penalty decision submitted for Board action, in re **John Douglas Hale**, OAH No. N2003020396. Discussion, and potential adoption, of a proposed civil penalty decision submitted for Board action, in re **William Shannon Frazier**, CP-02-01. (The Executive Session may be reconvened if determined necessary.)

October 9, 2003 (Thursday)

7:55 a.m.

3. Convene Open Session
4. Announcement of Actions Taken in Executive Session
5. Approval of Minutes of the August 2003 Meeting

8:00 a.m.

6. **Hearing:** To Consider Amendments to Regulations to the Silvicultural Rules affecting Special Prescriptions. The Proposed Amendments add a new Silvicultural System called Variable Retention. The Affected Regulations are in 14 CCR, Sections 913.4 [933.4, 954.4].

Note: The hearing will be on rule language in a 15-Day Notice circulated on September 24, 2003. The noticed language is available from the Board's office and is also available on the Board's web page: http://www.fire.ca.gov/bof/board/board_proposed_rule_packages.html

8:30 a.m.

7. **Hearing:** To Consider Amendments to Regulations affecting Road Management. The Proposed Amendments provide for the Preparation of a Road Management Plan, to allow for long term planning for the use, maintenance, construction, reconstruction, or abandonment of roads. The Affected Regulations are in 14 CCR, Sections 895, 895.2, 923.10 [943.10, 963.10], 923.11 [943.11, 963.11], and 923.12 [932.12, 963.12].

Note: The hearing will be on rule language in a 15-Day Notice circulated on September 24, 2003. The noticed language is available from the Board's office and is also available on the Board's web page: http://www.fire.ca.gov/bof/board/board_proposed_rule_packages.html

9:00 a.m.

8. **Hearing:** To Consider Amendments to Regulations affecting Hardwood Retention. The Proposed Amendments address Deciduous Hardwood Protection by requiring a plan for retention, thinning and regeneration. The affected Regulations are in 14 CCR, Sections 939.15 and 959.15.

Note: The hearing will be on rule language in a 15-Day Notice circulated on September 24, 2003. The noticed language is available from the Board's office and is also available on the Board's web page: http://www.fire.ca.gov/bof/board/board_proposed_rule_packages.html

9. Consent Calendar – see attached Consent Calendar for actions to be considered under this agenda item.

Consent Calendar items are expected to be routine and non-controversial. They will be acted upon by the Board at one time without discussion. If any Board Member, staff, or interested person requests that an item be removed from the Consent Calendar, it will be taken up in the regular agenda order.

Possible Action Items: RPF License/CRM Certification: Withdrawals, Reinstatements, Voluntary Relinquishments, or other Actions

10. Report of the Chairman
11. Report of the Director
12. Report of the Oak Mortality Task Force
13. Report of Federal Agencies Including USDA Forest Service, National Marine Fisheries Service, US Fish & Wildlife Service and US Environmental Protection Agency
14. Nomination by the North Coast Regional Water Quality Control Board of the Elk River Watershed for Classification as Sensitive. Pursuant to 14 CCR 916.8 (c), the Board will name a Nominations Review Committee to screen the Nomination for compliance with 14CCR 916.8 (a).

15. Discussion of Mendocino Superior Court Decision case number SCUKEVPT 0289022 regarding the Environmental Impact Report and 2002 Management Plan for Jackson Demonstration State Forest. **Possible Action Item:** Board may rescind its November 6, 2002, approval of the 2002 Management Plan for Jackson Demonstration State Forest. Board may enter into an agreement (or delegate to the Chairman) for the preparation of a Draft Environmental Impact Report for the Jackson Demonstration State Forest Management Plan.

16. Discussion of the Court Order in *EPIC v. BOF*. **Possible Action Item:** The Board may delete the regulatory references to those regulations known as the "Interim Watershed Mitigation Addendum" contained in 14CCR 916.13, *et. seq.*

17. Report of Board's Advisory Committees

- Forest Pest Council
- Range Management Advisory Committee
- Monitoring Study Group
- Professional Foresters Examining Committee

Possible Action Items: Issuance of RPF Licenses/CRM Certifications, Withdrawals, Reinstatements, Voluntary Relinquishments, Suspensions, Revocations, or other Actions

18. **Public Forum:** Members of the public may address the Board on any topic within its jurisdiction not otherwise on the agenda. Submittal of written comments is encouraged to ensure that all comments will be included in the record before the Board. Please be prepared to summarize comments to three minutes in length, or otherwise at the discretion of the chairman.

19. Report of Executive Officer, including Proposed State and Federal Legislation

Note: The Board's Executive Officer will report on ongoing administrative matters, proposed state or federal legislation or programs, or new items coming before the Board. The Board may act in response to requests of the Executive Officer on items presented in the report.

20. New and Unfinished Business

21. Adjournment

Note: The Board may take any non-hearing agenda item out of order as time permits and may discuss agenda items scheduled for committees, including legislation. The Board may act on recommendations by its committees on items listed in their respective agendas.

ADA Notice- Pursuant to the Americans with Disabilities Act, individuals who, because of a disability, need special assistance to attend or participate in a State Board of Forestry and Fire Protection Meeting, may request assistance at the Board Office, 1416 Ninth Street, Room 1506-14, Sacramento, California or by calling (916) 653-8007. Requests should be made one week in advance whenever possible.

COMMITTEE AGENDAS

POLICY AND MANAGEMENT COMMITTEE MEETING

Date: October 8, 2003 (Wednesday)

Location: Resources Building
Room 1506-12
1416 Ninth Street
Sacramento, California

Time: 8:00 a.m. – noon

1. Presentation and Discussion Regarding Native American Participation in the Review Team Process
2. Discussion Regarding the September Petition on Clearcutting
3. Discussion Regarding Heritage Tree Issues
4. Discussion on Oak Woodlands and Issues Pertaining to Board Authority and Consideration of Options Developed by CDF Staff to Address Oak Woodlands Issues
5. Discussion of the Regulatory Rulemaking Process
6. Continued Review of Board Priorities for 2003
7. New and Unfinished Business

Note: The Policy and Management Committee may continue discussion of items included in its agenda, or the full Board agenda, if the Board recesses or adjourns.

FOREST PRACTICE COMMITTEE

Date: October 8, 2003 (Wednesday)

Location: Resources Building
Auditorium
1416 Ninth Street
Sacramento, California

Time: 8:00 a.m. – noon

1. Discussion of the Transitional Silviculture Method Proposed Rule Change
2. Continued Discussion on the Napa County Rule Recommendations
3. Continued Discussion of the Forest Reptile and Amphibian Working Group (FRAWG) Proposal focusing on Protection Measures for “Springs, Seeps and Wet Areas”
4. Class II/III Watercourse Classifications – Continued Discussion Regarding Definitions
5. New and Unfinished Business

Note: The Forest Practice Committee may continue discussion of items included in its agenda, or the full Board agenda, if the Board recesses or adjourns.

Ad Hoc ROADS AND WATERSHED MANAGEMENT COMMITTEE MEETING

Date: October 8, 2003 (Wednesday)

Location: Resources Building
Auditorium
1416 Ninth Street
Sacramento, California

Time: 1:00 p.m. – 4:00 p.m.

1. Discussion Regarding Potential Alternatives to the Interim Watershed Mitigation Addendum
2. Review and Discussion of the Interagency Roads Task Force Rule Package
3. New and Unfinished Business

Note: The Ad Hoc Roads and Watershed Management Committee may continue discussion of items included in its agenda, or the full Board agenda, if the Board recesses or adjourns.

RESOURCE PROTECTION COMMITTEE MEETING

Date: October 8, 2003 (Wednesday)

Location: Resources Building
Room 1506-12
1416 Ninth Street
Sacramento, California

Time: 1:00 p.m. – 4:00 p.m.

1. Report by CDF Deputy Director, Fire Protection; including Reports from Region Chiefs
2. Report by the USDA Forest Service Regarding Fire Management Activities
3. Advisory Committee Reports:

Statewide Fire Safe Council
Range Management Advisory Committee
Vegetation Management Program

5. Continued Review of the 1996 California Fire Plan
6. New and Unfinished Business

Note: The Resource Protection Committee may continue discussion of items included in its agenda, or the full Board agenda, if the Board recesses or adjourns.

ITEM #6: CONSENT CALENDAR

No items to report